

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on

02/28/00

TOWNSEND and TOWNSEND and CREW LLP

By: 

PATENT
Attorney Docket No.: 17634-000512US

#3



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian R. Murphy, et al.

Application No.: 09/444,067

Filed: November 19, 1999

For: PRODUCTION OF ATTENUATED
RESPIRATORY SYNCYTIAL VIRUS
VACCINES FROM CLONED
NUCLEOTIDE SEQUENCES

Art Unit: 1643

RESPONSE TO NOTICE OF MISSING PARTS

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Application --Filing Date
Granted, dated December 27, 1999, and pursuant to the Preliminary Amendment filed
herewith, enclosed are the following to be made of record in the above-identified application:

- 1) Copy of Notice of Missing Parts

Please charge Deposit Account No. 20-1430 for the following fees:

(a) Filing Fee (§ 1.16(a)) (Large Entity) \$ 760.00

(b) Excess Claims Fees (§ 1.16(b), (c)):

101 - 20 = 81 x \$18.00 = \$1,458.00

5 - 3 = 2 x \$78.00 = \$156.00

(c) Missing Parts Surcharge \$130.00

TOTAL FEES TO BE CHARGED \$2,504.00

Brian R. Murphy, et al.
Application No.: 09/444,067
Page 2

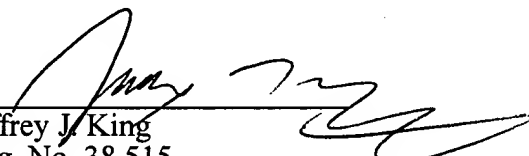


PATENT

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

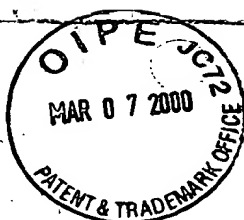
Respectfully submitted,

Dated: 2/28/2000


Jeffrey J. King
Reg. No. 38,515

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (206) 367-9600
Fax: (415) 576-0300

JJK:imp
SE 5002032 v1



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/444,067 11/19/99 MURPHY

B 17634-000512

020350 0222/1227
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111

NOT ASSIGNED

1643

DATE MAILED:

12/27/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 2168.00

- ☒ 1. The statutory basic filing fee is:
☒ missing.
☐ insufficient.

Applicant must submit \$ 760.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ 1044.00 for 58 total claims over 20.

\$ 234.00 for 3 independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. The oath or declaration:

☐ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Assistant Commissioner for Patents, Attn: Box Missing Parts, Washington, D.C. 20231, on 02/28/00

TOWNSEND and TOWNSEND and CREW LLP

By [Signature]

PATENT

Attorney Docket No. 17634-000512US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Brian R. Murphy et al.

Examiner: Not Assigned

Application No.: 09/444,067

Art Unit: 1643

Filed: November 19, 1999

For: PRODUCTION OF ATTENUATED
RESPIRATORY SYNCYTIAL VIRUS
VACCINES FROM CLONED
NUCLEOTIDE SEQUENCES

**REQUEST FOR CORRECTED
FILING RECEIPT**

Assistant Commissioner for Patents
Washington, D.C. 20231

ATTN: Customer Correction Branch
Application Processing Division

Sir:

Attached is a copy of the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a corrected filing receipt is respectfully requested.

There is an error in that **the last line** of the Continuing Data as Claimed by Applicant should read as follows:

PROVISIONAL APPLICATION NO. 60/021,773 07/15/96

Brian R. Murphy et al.
Application No.: 09/444,067
Page 2

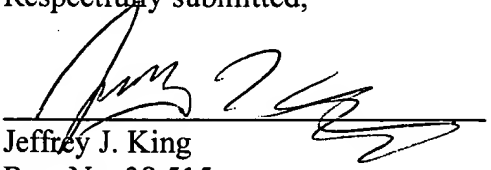


There is also an error in the number of independent claims listed, pursuant to the Preliminary Amendment filed herewith. The number of independent claims should be five (5).

The correction is not due to any error by applicant and no fee is due.

Respectfully submitted,

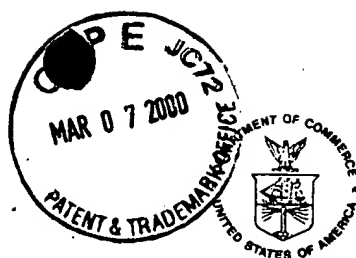
Dated: 2/28/00


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SE 5002432 v1

FILING RECEIPT



017634-00051245
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
SWP/HRK

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
09/444,067	11/19/99	1643	\$0.00	17634-000512	24	78	6

020350
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO CA 94111

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s) BRIAN R. MURPHY, BETHESDA, MD; PETER L. COLLINS, ROCKVILLE, MD; STEPHEN S. WHITEHEAD, GAITHERSBURG, MD; ALEXANDER A. BUKREYEV, ROCKVILLE, MD; KATALIN JUHASZ, ROCKVILLE, MD; MICHAEL N. TENG, ROCKVILLE, MD.

CONTINUING DATA AS CLAIMED BY APPLICANT-

THIS APPLN IS A DIV OF 08/892,403 07/15/97 PAT 5,993,824
PROVISIONAL APPLICATION NO. 60/047,634 05/23/97
PROVISIONAL APPLICATION NO. 60/046,141 05/09/97
PROVISIONAL APPLICATION NO. 60/021,772 07/15/96
7773

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 12/27/99

TITLE

PRODUCTION OF ATTENUATED RESPIRATORY SYNCYTIAL VIRUS VACCINES FROM CLONED NUCLEOTIDE SEQUENCES

PRELIMINARY CLASS: 424

RECEIVED
00 JAN -3 AM 10:08

DATA ENTRY BY: HARDY, EUGENIA

TEAM: 03 DATE: 12/27/99



(See reverse for new important information)